



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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16 June 2004

**LB42729.E**

Libya: Situation of HIV/AIDS; whether the state is dealing with the problem; attitude of the government; effort by UNICEF with regard to the disease; whether Libyan UNICEF workers dealing with HIV/AIDS have been subjected to threats; recent trial of Bulgarian nurses and Palestinian doctor; outcome of trial (2002 - June 2004)  
Research Directorate, Immigration and Refugee Board, Ottawa

### Situation of HIV/AIDS in Libya

According to the United Nations Children's Fund (UNICEF) and the World Health Organization, there are roughly 7,000 people living with HIV or AIDS in Libya (UNICEF 2001; WHO 2002-2003). In a 14 January 2002 press release, the Red Cross/Red Crescent (IFRC) indicated a rise in HIV infections in Libya. UNICEF has indicated that the leading cause of HIV/AIDS transmission in Libya is intravenous drug use (IFRC n.d.). *Country Reports 2003* indicated that in 2000, many sub-Saharan African workers who were blamed for bringing HIV/AIDS to Libya were injured or killed in an anti-African riot (25 Feb. 2004, sec. 5).

The parents of 417 children living with HIV/AIDS founded the Association to Care for Infected Children (ACIC), an NGO in Libya which works closely with the Libyan Red Crescent, whose goal is to educate Libyans about the disease to encourage prevention and discourage discrimination against those living with the disease (IFRC 23 May 2002). According to the IFRC, social stigma against HIV-positive children is a pervasive problem in Libya (ibid.). In the words of a coordinator at the Libyan Red Crescent Society, "children with HIV face discrimination on all levels" (ibid., 20 Oct. 2003). "Colleagues, neighbours, even family members avoid contact with them..." (ibid.). The IFRC mentions cases where hospital patients left a ward when a child with AIDS was admitted to their ward; other patients are scrupulous in avoiding physical contact with these children (ibid.). However, the IFRC indicates that Red Crescent efforts to educate Libyans on the subject of HIV/AIDS are beginning to be met with some level of success in reducing this stigma (ibid.). In order to alleviate the emotional suffering of children living with AIDS, volunteers from the Red Crescent have been "organizing trips to the zoo, the beach, and summer camps...volunteers visit the children and offer gifts, especially during ceremonies and holidays" (ibid.).

### Government Attitude Toward HIV/AIDS

While previously denying the extent of the spread of HIV/AIDS in Libya, a spokesman for the IFRC maintained that in 2002 the government was aware of the necessity to take measures to prevent the spread of the disease (14 Jan. 2002).

### UNICEF Initiatives Regarding HIV/AIDS

UNICEF has made the HIV/AIDS problem one of its top priorities (UNICEF n.d.). According to UNICEF, the organization collaborates with non-governmental organizations (NGOs) with the goal of raising awareness throughout the country, an initiative that it says is "proving very successful" (ibid.). Among other projects are the following activities: training members on prevention; openly discussing the seriousness of the problem in Libya as well as the need to improve efforts to combat the disease; and participating in regular meetings with

the Chairperson of the National AIDS Program to develop and enhance anti-HIV/AIDS strategies (ibid.).

## **Trial of Foreign Medical Workers**

In 1999, Libyan authorities arrested six Bulgarian and one Palestinian health care workers on charges of deliberately infecting approximately 400 children with the HIV virus at the al-Fateh hospital in Benghazi (AI 2003; BBC 4 June 2002). In February 2003, a Libyan court found that there was no evidence to convict the workers (Freedom House 2003). Despite initial accusations by Libyan leader Muammar Gaddafi that the CIA and Mossad paid the Bulgarian nurses to infect Libyan children with HIV in order to bring instability to the country (BBC 26 Jan. 2004; CBS News 6 May 2004), allegations which were later renounced (ibid.), an independent inquiry led by Luc Montagnier (the scientist who first identified HIV) and Italian AIDS scholar Vittorio Collizzi found that the accused Bulgarian workers did not infect the hundreds of children with HIV (AP 3 Sept. 2003; Novinite 14 May 2004). The doctors blamed the infections on the hospital's overall level of poor hygiene and negligence (ibid.; AI 2003; AP 3 Sept. 2003; ibid. 7 May 2004; BBC 26 Jan. 2004; CBS News 6 May 2004; *Sunday Times* 17 Nov. 2002).

According to several sources, some of the imprisoned medics complained of "torture" while in custody (ibid.; AI 1 Mar. 2004; AP 7 May 2004; BBC 26 Jan. 2004; CBS News 6 May 2004) and that their "confessions were exacted under duress" (AFP 6 May 2004; see also MEO 6 May 2004). According to the *Sunday Times*, "La," a magazine that had attempted to investigate the hygienic conditions of the al-Fateh hospital, was shut down by Libyan authorities (17 Nov. 2002).

Nevertheless, on 6 May 2004, a Libyan court sentenced five Bulgarian nurses and the Palestinian doctor to death for their role in the "deliberate" spread of the HIV virus to 426 Libyan children (AFP 6 May 2004; AI 6 May 2004; CBS News 6 May 2004; CNN 6 May 2004; MEO 6 May 2004). Some lawyers (ibid.), Western governments and human rights organizations have indicated that the sentence was carried because of the need for a scapegoat (AP 7 May 2004; BBC 26 Jan. 2004). Amnesty International has asked that the death sentence be reconsidered (AI 6 May 2004). On 8 May 2004, Bulgaria announced that it would appeal the verdicts (AFP 8 May 2004). Sources indicated that the Canadian Medical Association (CMA) had joined an international contingent in supporting the Bulgarian medics and calling for a reversal of the death sentences in light of expert opinions that the medics are not to blame for the HIV infections (BNA 21 May 2004; Novinite 21 May 2004).

Amnesty International's recommendations regarding human rights reform published in February 2004 inspired by findings after having interviewed the defendants, as well as those Libyan authorities accused of torturing them, had not yet been met with concrete actions by the Libyan government to implement them as of 27 April 2004 (AI 27 Apr. 2004).

Information on threats received by UNICEF workers dealing with HIV/AIDS could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Unsuccessful attempts to reach the Libyan National Committee AIDS Programme and UNICEF Libya.

**Websites, including :** Al-Fajral Al-Jadeed, Arabic News, European Country of Origin Information (ECOI), Human

Rights Watch (HRW), Jamahiria News Agency (JANA), World News Connections (WNC)

 [Top of Page](#)

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